

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

O'Day

Serial No.: 10/735,971

Filed: 12/15/03

Confirmation No.: 4281

Atty. File No.: 3123-551 (MFB 16420-02103)

For: " MAGNETICALLY ALIGNED DISK
DRIVE VOICE COIL MOTOR MAGNETS
AND METHOD OF ALIGNING THE SAME "

) Group Art Unit: 3729

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) Examiner: P. Kim

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) RESPONSE TO RESTRICTION

) REQUIREMENT

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MARSH FISCHMANN & BREYFOGLE, LLP

BY:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this Response to address the comments provided by the Examiner in an Office Action having a mailing date of April 24, 2004. Generally, the Examiner is taking the position that multiple inventions are being presented in the above-captioned patent application: Group I (Claims 1-21) and Group II (Claims 22-38). Initially, Applicant assumes that pending Claim 39 should be included with Group II, as it depends (indirectly) from independent Claim 22 of Group II.

Applicant provisionally elects Group I (Claims 1-21) with traverse. The Examiner is taking the position that the inventions of Group I and Group II are related as combination and